

Welcome to
THE UNITED STATES OF AMERICA



2005-2006 Version
CITIZENSHIP HANDBOOK

Compliments of Assemblyman Michael N. Villines

Dear Friend:


Congratulations on your eligibility to become a United States citizen. Citizenship is both a privilege and a great responsibility. I am pleased that you have chosen to go through the immigration and naturalization process.

I want you to know that as your Assemblymember, one of my most important jobs is to make government work for you.

That's why I have prepared this Citizenship Handbook – to help you become a citizen. This handbook provides basic facts about United States government and history. It also includes 125 questions that are frequently asked by Immigration Officers during the citizenship test, and answers to help you study.

My staff and I are available on a daily basis to answer questions you may have about government and current legislation, to resolve problems and complaints and to tell you about programs that may benefit you. Please call, visit or write if I can be of assistance.

Sincerely,

A handwritten signature in black ink that reads "Michael N. Villines". The signature is fluid and cursive, with a long horizontal stroke at the end.

MICHAEL VILLINES
Assemblymember, 29th District

TO APPLY FOR CITIZENSHIP

A person must:

- Be at least 18 years old.
- Have been lawfully admitted to this country.
- Have resided in this country 5 years (3 years if he or she is married to a U.S. citizen).

THE PROCESS

There are three basic steps to becoming a citizen:

1. Pick up an application package at your local immigration office. The U.S. Immigration and Naturalization Office in Sacramento County is located in the U.S. Federal Building at 650 Capitol Mall, Sacramento, CA 95814. The hours are 7:00 a.m. - 1:00 p.m. Monday, Tuesday Thursday & Friday, and Wednesday 7 a.m. – 12 p.m. Please call (800) 375-5283 with any questions.
2. You must complete an application to file for a petition for naturalization (Form N-400), a fingerprint form (FD-258) and attach three photographs. The toll-free number to request forms is (800) 870-3676.
3. You may submit the completed application to the immigration office by mail or in person. You must pay the \$320 application fee at this time. An interview notice will be mailed to you. The interview will include questions on U.S. history, the Constitution and government. You will be notified whether you passed upon completion of the interview.

BENEFITS OF BECOMING A CITIZEN

There are many benefits to becoming a citizen, including:

- The right to vote on all local, state and national elections.
- The right to apply for jobs with the federal government, defense contractors, state and local law enforcement agencies.
- The right to file a petition to bring your family or relatives to join you in this country.

EARLY AMERICAN HISTORY

Christopher Columbus was born in Italy. He was a sailor who believed the earth was round. He wanted to make a voyage to the west and asked Queen Isabella of Spain to give him three ships and a crew of sailors. Columbus sailed from Spain on August 3, 1492, in three small ships, the Nina, the Pinta and the Santa Maria. On October 12, 1492, Columbus landed on a small island in the Bahamas, discovering a new world, America.

Later, many Europeans traveled across the Atlantic Ocean in search of adventure, freedom of religion, and a better opportunity.

The first successful English settlement was founded at Jamestown, Virginia, in 1607. In 1620, the Pilgrims left England to settle the Colony of Plymouth in Massachusetts. (The Thanksgiving holiday is celebrated in November each year in honor of the Pilgrims.)

By 1776 there were 13 British colonies in North America. They were:

Connecticut	Maryland	New Jersey	Pennsylvania
Delaware	Massachusetts	New York	Rhode Island
Georgia	New Hampshire	North Carolina	South Carolina
Virginia			

These colonies later became the first 13 states of the United States of America.

After the French and Indian War, England forced the colonists to pay taxes for its army in America. The colonists believed that it was unfair when they had no representatives in the British Parliament. Many refused to buy goods from England, resulting in King George and Parliament finally agreeing to repeal all taxes except the tax on tea.

In 1773, the colonists boarded the ships of the British East India Company and threw the tea into Boston Harbor (the Boston Tea Party). The British Parliament passed acts which closed the Boston port and limited the freedom of the colonists. The colonists elected representatives who met in Philadelphia in 1774. It was the First Continental Congress. Congress sent a letter to King George asking him to respect the rights of the colonists. However, King George refused. The Second Continental Congress, made up of delegates from all 13 colonies, met in Philadelphia on May 10, 1775. This Congress elected George Washington as Commander in Chief of the Continental Army, and it declared war against the British.

On July 4, 1776, Thomas Jefferson, a leading member of the Congress, wrote the Declaration of Independence. It declared that all men are created equal and they have the right to enjoy life, liberty and the pursuit of happiness. The Declaration of Independence also stated that governments are established to protect the rights of the people and that laws should not be made unless the people agree to them.

King George decided that England would continue to fight to keep the colonies, but England was also at war at that time with both Spain and France. France decided to help George Washington continue to fight. This was called the Revolutionary War. Finally, in 1781, Washington beat the

British at Yorktown. This ended the war and two years later a peace treaty was signed between England and the United States.

In 1787, the states sent some of their most able leaders to the Constitutional Convention in Philadelphia. They created the Constitution of the United States, one of the most famous and respected documents, which provided for three branches of government:

- **The Legislative Branch**, called Congress, which makes the laws;
- **The Executive Branch**, headed by the President, which enforces the laws; and,
- **The Judicial Branch**, headed by the Supreme Court, which interprets the law.

The delegates created a Constitution which binds the states together as a nation but leaves power in the hands of the people.

The people elected George Washington as the first President of the United States. They also elected a new Congress, which consists of two houses, the Senate and the House of Representatives.

The Bill of Rights

Seventy-two amendments to the Constitution were approved by the Congress and sent to the states for acceptance. By 1791, ten of the amendments were ratified and became law. They were written into the Constitution as the Bill of Rights. They are:

First Amendment – Freedom of Religion, of Speech, and of the Press; Right to Assemble and Right of Petition.

Guarantees freedom of religion, freedom of speech, and freedom of the press.

Second Amendment – Right to Bear Arms.

Gives the people the right to have weapons.

Third Amendment – Quartering of Soldiers.

Provides that, in time of peace, no soldiers shall be placed in a private home without the approval of the owners.

Fourth Amendment – Warrants of Search and Seizure.

Assures that there shall be no search and seizure of persons or things without the legal authority of a warrant, properly issued, setting forth the cause, and describing the person or place to be searched or the person(s) or thing(s) to be seized.

Fifth Amendment – Guarantees in Criminal Cases, Fair Price for Property.

Guarantees that no person can be held to answer (brought to trial) for a serious crime without first having been accused by a grand jury, with the exception of people in military service in time of war or public danger. (Members of the armed forces are tried by a military court without action by a grand jury.) No person can be tried twice for the same crime. No person in any criminal case shall be required to testify against himself. Life, liberty, or a person's property shall not be taken from him or her without a court trial. Property will not be taken for public use without a fair price being paid for it.

Sixth Amendment – Rights of Accused Persons.

Guarantees an accused person the right to a trial by jury. Provides that a person accused of a crime must be told plainly the nature of the crime of which he or she is accused. The accused has the right to have a lawyer defend him/her. An accused person has the right to hear and question those who say he/she has committed a crime. All witnesses who testify against an accused person must do so in his/her presence. A defendant has the right to compel any person to appear in court as a witness to testify in his/her favor.

Seventh Amendment – Trial by Jury in Civil Cases.

States that a trial by jury is guaranteed in any lawsuit which involves a claim of more than \$20.

Eighth Amendment – Excessive Punishment.

Prohibits an excessive bail, excessive fine, and cruel and unusual punishment.

Ninth Amendment – Rights Reserved to the People.

Declares that rights which the people may have had before the adoption of the Constitution are not taken away, nor do they have any lesser value because they are not mentioned in the Constitution.

Tenth Amendment – Powers Reserved to the States.

Declares that any powers not given to the federal government, nor clearly taken away from the states, are reserved to the states, or to the people.

Constitutional Amendments Passed After the Bill of Rights

Eleventh Amendment – (1795) A citizen of one state, or an alien, cannot sue another state in a federal court.

Twelfth Amendment – (1804) Electors must vote for President and Vice President separately.

Thirteenth Amendment – (1865) Slavery is ended in the United States.

Fourteenth Amendment – (1868) All people naturalized in the United States are citizens.

Fifteenth Amendment – (1870) No person can be kept from voting because of race or color.

Sixteenth Amendment – (1913) Congress has the power to put a tax on money earned by the people.

Seventeenth Amendment – (1913) Senators are to be elected by the people.

Eighteenth Amendment – (1919) The making, selling or transportation of intoxicating liquor is prohibited.

Nineteenth Amendment – (1920) Women have the right to vote.

Twentieth Amendment – (1933) The President, the Vice President, and the Congress shall take office in January.

Twenty-first Amendment – (1933) Repealed the 18th Amendment, so liquor is no longer prohibited in the United States.

Twenty-second Amendment – (1951) The same person cannot be elected President more than twice.

Twenty-third Amendment – (1961) Citizens living in the District of Columbia can vote for President and Vice President.

Twenty-fourth Amendment – (1964) Citizens cannot be made to pay a tax to vote for the President, the Vice President or Members of Congress.

Twenty-fifth Amendment – (1967) The Vice President becomes Acting President when the President is disabled.

Twenty-sixth Amendment – (1971) A citizen shall not be denied the right to vote because of age if he or she is 18 years of age or older.

Twenty-seventh Amendment – (1992) Changes in the compensation for serving in Congress may take effect only after the next House of Representatives election.

THE THREE BRANCHES OF GOVERNMENT

The Executive Branch

The President and Vice President are elected indirectly by the people. The current President is George W. Bush, who was elected in 2000 and re-elected in 2004. The Vice President is Dick Cheney. The President appoints the Secretaries, or Cabinet Members. The President names, and then the Senate approves, or confirms the appointments. Each Secretary is an expert in a certain area, and advises the President.

The President, Vice President, and the 15 Secretaries (Cabinet Members, including the Attorney General) make up the Executive Branch at the federal level. The Executive Branch (or the administration) executes, or carries out, the laws. This branch also recommends new laws to Congress. About eight of every ten new laws are recommended by the Executive Branch. The President is called the Chief Executive.

Cabinet Members and their areas of responsibility:

- Secretary of State (foreign relations).
- Secretary of Treasury (money).
- Secretary of Defense (military matters).
- Attorney General (head lawyer for the federal government).
- Secretary of Interior (parks, government lands, natural resources).
- Secretary of Agriculture (farms).
- Secretary of Commerce (business).
- Secretary of Labor (working people).
- Secretary of Health and Human Services (health and welfare programs).
- Secretary of Housing and Urban Development (housing and rebuilding cities).
- Secretary of Transportation (airlines, highways).
- Secretary of Energy (sources of power).
- Secretary of Education (education).
- Secretary of Veterans Administration (military veterans).
- Secretary of the Department of Homeland Security (protects against terrorism).

Qualifications for President

To be elected President, a person must be:

- 35 years old; and
- A natural-born citizen; and
- A resident of the U.S. for 14 years.

Term of President

The president is:

- Elected for four years; and
- Limited to two terms.

Powers of the President

The Constitution lists the powers of the President. The Supreme Court decides if the President uses powers in the wrong way, or uses powers that are not allowed. Congress can impeach and remove the President for specified criminal conduct.

The President's powers include:

COMMANDER IN CHIEF: Head of all armed services; uses armed power to protect Americans or American property overseas; uses police power to settle domestic problems.

CHIEF EXECUTIVE: Appoints officials; sets up departments and agencies; supervises government employees.

LAW ENFORCER: Top law enforcer (uses the FBI and the Attorney General to enforce the laws); enforces court decisions; power to pardon, reprieve and commute sentences.

CHIEF DIPLOMAT: Sets foreign policy; recognizes foreign governments; receives foreign ambassadors; negotiates treaties with foreign governments.

CHIEF OF STATE: Represents the United States; symbol of the U.S. to the world; performs ceremonies.

CHIEF POLICY MAKER: Power to recommend laws. In January each year, the President makes the "State of the Union" speech to Congress. In this speech, the President suggests laws, budgets, and foreign policy to the Congress for the upcoming year; influences legislators to vote on certain laws.

CHIEF POLITICIAN: Head of his or her political party; uses influence to get others from the party elected at federal and state levels. The goal is for the President's party to be the majority party in each house of Congress.

Limits on the President's Powers

The American system of checks and balances limits the power of the Executive Branch in the following ways:

- Congress has the power of the purse; the President can use his influence to get a bill passed, but if Congress refuses to pass a law allowing money to be spent to implement the bill, then the bill is not enforced.
- The House of Representatives can impeach the President by a majority vote, and then the Senate may conduct a trial and remove the President from office by a two-thirds vote that approves one or more of the articles of impeachment brought by the House of Representatives.
- Congress can investigate the President or any person.
- The Supreme Court can rule on whether or not the President's actions are legal, or constitutional.

- The President can negotiate treaties and declare war, but Congress must ratify, or approve, the action.
- The Senate confirms all appointments.
- Congress can override a President's veto. (It takes two-thirds of the Congress voting "yes" for an override.)
- Congress has the power to officially declare war, but it is the President who suggests that a state of war exists for which Congress may so act to declare war. There have been five official wars in the U.S. history (not including the Revolutionary War or the U.S. Civil War), and four "undeclared wars." The principle of Commander in Chief is that a civilian should have the control over the military. Therefore, it is a civilian who makes decisions about use of the military. During World War II, it was President Truman who decided to drop the atomic bomb on Japan.
- The President can use the military without declaring war. This is because he has police power (the power to use the military as a police force to protect Americans or American property in other countries). Presidents may use this power to send troops to other countries for "short wars." It is this power that allowed the United States to fight in Korea and in Vietnam.

Following the Vietnamese "police action," Congress passed a law that requires the President to notify Congress if American troops are sent overseas, and the troops must be removed from that country within 60 days. The reason for police action must be to protect Americans or their property, or to honor a treaty commitment.

The President can use the military to settle conflicts inside the United States and to enforce the law. In the late 1950s and through the mid-1960s, the Army and National Guard were used to help protect people and property when Americans fought over laws that ended segregation and allowed blacks and whites to use the same schools, beaches, restrooms, swimming pools, restaurants, hotels and buses.

The Legislative Branch: Congress

A member of the House of Representatives serves a two-year term. The entire house (435 members) is elected or re-elected every two years at the same time. A Senator serves a six-year term. In the Senate (100 members), one-third of the members are elected every two years.

Qualifications for Office

To be elected as a U.S. Representative, you must be:

- 25 years old.
- A U.S. citizen for at least seven years.
- A resident of the state you are representing.

To be elected as a U.S. Senator, you must be:

- 30 years old.

- A U.S. citizen for at least nine years.
- A resident of the state you are representing.

Representatives are elected by districts within their state. Senators are elected by the whole state.

Why Are There Two Houses of Congress?

Congress is bicameral (“bi” = “two”; “camera” = “room” or “chamber”). The writers of the Constitution were from England, where the government had two houses. In addition, there was arguing among the states about which state would have the most power (an equal number of representatives from each state would give all states equal power, while representation based on population would give the states with larger populations more power than the states with fewer people).

Two houses are a compromise. In the Senate, each state has equal power (there are two Senators from each state, regardless of size); in the House, the states with larger populations have more power (the number of Representatives is based on the number of people in the state).

The bicameral system works well for these reasons:

1. **SERVES AS A BRAKE:** A bill must be approved by both houses of Congress, meeting separately, so it is less likely that a bill can be rushed through.
2. **PREVENTS LAWS FAVORING ONE SECTION OF THE COUNTRY:** The areas with large populations, like the Northeast, cannot get laws passed which favor their area but are a disadvantage to the rest of the country.
3. **PROVIDES FOR DIFFERING VIEWPOINTS:** Since the Representatives all are elected at the same time, every two years, voting citizens can have more power. For example, if there is a terrible nuclear accident, and the citizens all become concerned about the building of more nuclear weapons and power plants, at the next election, Representatives who favor limiting nuclear power will probably be elected, and those favoring nuclear expansion will not. On the other hand, changing only one-third of the Senate at one time provides continuity and stability.
4. **PROVIDES TIME FOR REVIEW:** The bicameral process is a slow process. This provides citizens the time to write letters and to visit their members of Congress.

The bicameral system has these disadvantages:

1. **DELAYS IMPORTANT LAWS:** The slow process is sometimes a disadvantage. Important laws which are needed immediately often take too long to go through both houses.
2. **SPECIAL-INTEREST GROUPS HAVE TOO MANY CHANCES TO INFLUENCE A BILL:** The process allows citizens the time to write letters and visit their members of Congress, but it also gives special-interest groups the time to lobby for their interests. Sometimes they can change public opinion or influence members of Congress.

In spite of the disadvantages, the bicameral system is the way that laws are made in the United States.

What Is the Term of Congress?

The term of Congress is based on the election of the members of the House of Representatives. A new term begins when a new House meets for the first time. The Congress that came together in January 2005 and is meeting now is the 109th Congress.

Each term is divided into two sessions. Each session lasts a year. A President can call special sessions, and members must return from their districts to meet again.

How Is Congress Organized?

Congress is made up of 535 people (435 members of the House of Representatives and 100 members of the Senate) and usually considers more than 20,000 bills during each session. The leader of the House of Representatives is the Speaker of the House. The Speaker is leader of the majority party (Democrat or Republican, depending upon which party has the most members).

The Speaker of the House would become President if both the President and Vice President left their offices (for example, if they died, resigned or were impeached).

The leader of the Senate is not an elected Senator, but instead is the Vice President of the United States. Usually, the Vice President has an elected Senator take his place as the President of the Senate. The Vice President votes in the Senate only if there is a tie.

Each house has majority and minority party leaders. Party “whips” are assistants to the party leaders. The business of both houses of Congress takes place mostly in committees. There are four kinds of committees:

1. **STANDING COMMITTEES:** These are permanent committees.

The Senate currently has 15 standing committees. The most important committees are:

- Appropriations – handles all spending bills, and has the “power of the purse.”
- Finance – deals with taxes, tariffs, Social Security.
- Foreign Relations – deals with issues that affect our relations with other countries.
- Armed Services – deals with the billions of dollars that are spent on the military; decides whether or not new weapons are built.

The House currently has 22 standing committees. In the House, the most important committees are:

- Appropriations – handles all spending bills, and has the “power of the purse.”
- Rules – very powerful, this committee can decide to consider a bill out of order, (if a bill is not considered, it can never become a law).
- Ways and Means – same as Finance in the Senate – taxes, tariffs, Social Security, etc.

2. **SELECT (SPECIAL) COMMITTEES:** These are organized to investigate some special topic. In 1975, for example, the Senate Select Committee on Intelligence was organized to investigate the Central Intelligence Agency (CIA).

3. **JOINT COMMITTEES:** These committees are made up of an equal number of Representatives and Senators. They consider complex issues such as the American economy. Their findings are reported to the public and to Congress.

4. **CONFERENCE COMMITTEES:** These are temporary committees set up so that Congress can take up bills that are under consideration by both the Senate and the House. They work on the wording of bills that both houses can find acceptable.

Members of Congress often serve on four or five different committees each. Standing committees are often divided into subcommittees, as there is so much work to do. Congress members do not choose their own committees – they can ask for assignments, but it is up to the leaders to decide on the final assignments.

How Does a Bill Become Law?

There are 10 steps. Most bills take several months or even years to become law. A bill has to overcome many obstacles on the way to becoming a law.

1. **A BILL IS WRITTEN (drafted):** 80 percent of the bills are suggested by the President or his Cabinet.
2. **THE BILL IS INTRODUCED:** The bill is printed and receives a number.
3. **THE BILL IS ASSIGNED TO A STANDING COMMITTEE.**
4. **THE COMMITTEE CHAIR ASSIGNS THE BILL TO A SUBCOMMITTEE:** The subcommittee schedules a hearing on the bill. People come and express their opinions, for and against the proposal.
5. **THE BILL GOES TO THE FULL COMMITTEE:** The bill may be “marked up” (changed or amended), and then “reported out” (sent to the “floor” of the full House or Senate). It is then put on the calendar for debate.
6. **THE BILL IS DEBATED ON THE FLOOR:** Members argue for and against the bill during meetings of the House or Senate. There may be more changes and amendments.
7. **THE BILL IS VOTED ON AND SENT TO THE OTHER HOUSE:** If the bill is passed by one house, it is sent to the other. If the bill is passed in the same form in both houses, it goes to the President. If not, the bill is assigned to a conference committee.
8. **THE CONFERENCE COMMITTEE:** Tries to create a compromise bill acceptable to both houses.
9. **BOTH HOUSES VOTE ON THE COMPROMISE BILL:** If the bill passes, then both the Speaker of the House and the President of the Senate sign it and it goes to the President of the United States.
10. **THE PRESIDENT ACTS ON THE BILL:** If the President signs the bill, it becomes law. The President can veto (say “no” to) a bill. If he vetoes a bill, it still can become law if two-thirds of each house votes to override the veto – these veto overrides are very rare. If the President chooses not to sign or veto the bill, after 10 days the bill becomes law without his signature, as long as Congress hasn’t adjourned. If Congress has adjourned, a bill that is acted on is automatically vetoed after 10 days (this is called a “pocket veto,” and also is rare).

What Is the Basis of Congressional Power?

Delegated powers are those expressed in the Constitution, Article I, Section 8. They are to:

- Collect money (taxes).
- Borrow money.
- Regulate interstate and foreign commerce.
- Regulate bankruptcy.
- Regulate naturalization.
- Coin money.
- Regulate weights and measures.
- Punish counterfeiting.
- Establish post offices.
- Regulate copyrights and patents.
- Set up federal courts.
- Punish piracy and treason.
- Declare war.
- Support armies.
- Support a navy.
- Establish military law.
- Protect the nation.
- Govern the District of Columbia (D.C.).

What Are the Non-Legislative (Non-Lawmaking) Powers of Congress?

House and Senate committees often investigate several areas:

- The need for new laws.
- Behavior against the public interest.
- Changing patterns of American life.

Congress has the authority to confirm appointments. This means that the President's choices for Cabinet positions, judges, ambassadors and agency leaders must be approved.

Congress is the place where amendments to the Constitution are usually proposed.

Congress has the power of impeachment. This means that the Congress functions like a court to decide if a federal official, including the President, should be removed from office.

How Has the Power of Congress Grown?

American citizens have asked the federal government to do more and more. The public wants economic security as well as military security. They want old-age benefits, unemployment insurance, health care, welfare and thousands of other services not known in 1789. The services cost billions of dollars, and Congress has to collect the money and decide which services get funded.

The other reason for increased Congressional power is the power to regulate commerce. Many laws have been passed which affect businesses and private individuals at home and at work. One of the most important benefits of this is that Congress passes laws to prevent monopolies, so that the free enterprise system is protected. (For example, Congress broke up the telephone company

because it was a monopoly. There was no way for a competitor to provide telephone services, so the one giant telephone monopoly could charge any price it wanted. Now, there are many telephone companies competing for business, and Americans have more options and better service.)

The Judicial Branch

Federal Level

Supreme Court
Federal Court of Appeals
Federal District Courts
Special Courts

State Level

State Supreme Court
Superior Court
State Court of Appeals

Local Level

Combined with State
Small Claims Court

The judicial system serves several purposes:

- Decides civil cases (disputes between plaintiffs and defendants).
- Decides guilt in criminal cases.
- Acts as a check and balance against the Executive and Legislative branches.
- Decides disputes based on constitutional and statutory laws.
- Decides disputes based on prior court decisions (common law) where constitutional and statutory laws cannot otherwise directly apply.

What cases are heard by each court depends on whether state or federal laws are involved. Cases involving the delegated powers or the Constitution are heard in the federal courts. Most other cases are heard in the state courts.

The highest level of federal court is the U.S. Supreme Court. It has original jurisdiction for cases involving ambassadors from foreign countries and disputes between states. All other cases in the U.S. Supreme Court are appeals from lower courts. Appeals come from the Federal Court of Appeals or from state Supreme Courts.

There are nine Supreme Court Justices (judges), appointed for life by the President and confirmed by the Senate. Each Supreme Court decision is by majority vote.

STATE GOVERNMENT

The state government is similar to the federal government. It has three branches of government.

Executive Branch of State Government

The chief executive in every state is the Governor. The Governor has executive officers to assist in carrying out gubernatorial responsibilities. These officers may be appointed by the Governor or may be elected by the people. The Governor enforces the laws of the state and sees to it that the work of the various departments is done properly. He or she may also suggest to the Legislature what laws should be passed or changed. The Governor appoints judges to state courts. Arnold Schwarzenegger was elected Governor of the State of California in October 2003. Voters elected Schwarzenegger, a Republican, to replace Gray Davis, a Democrat who voters recalled from office in the same election.

The people of the State of California also elect the following officers:

- Lieutenant Governor: Presides over the State Senate and takes the place of the Governor whenever necessary. (currently Cruz Bustamante, a Democrat)
- Secretary of State: Official record-keeper for the state. (Bruce McPherson, Republican)
- Attorney General: Chief law enforcement officer in the state, represents the state in the courts. (Bill Lockyer, Democrat)
- State Treasurer: Manages the state's money that comes from taxes, licenses and fees. (Phil Angelides, Democrat)
- State Controller: Disburses state funds and examines all the financial records of the state. (Steve Westly, Democrat)
- Superintendent of Public Instruction: Helps set educational policy in the state. (Jack O'Connell, Democrat)
- Insurance Commissioner: Directly supervises the Department of Insurance and regulates insurance companies in the state. (John Garamendi, Democrat)

Legislative Branch of the State

The legislative, or lawmaking body, is the state Legislature. The Legislature's duty is to make laws that serve the needs of the people. All state legislatures, except Nebraska's, have two houses. In California, the upper house is called the Senate, the lower house is called the Assembly. California has 40 state Senators and 80 Assembly members.

Judicial Branch of State Government

Each state has its own rules about state courts: lower courts, courts of appeal, and the state Supreme Court. State courts hear cases that involve state laws or the state constitution. Most cases involve crime, property, marriage, wills, etc.

CRIMINAL CASES

Murder, manslaughter, kidnapping, assault, rape, burglary, robbery, theft, arson, drunkenness, child abuse, gambling, speeding, unsafe driving, and state laws/constitution.

CIVIL CASES

Divorce, juvenile dependency, property disputes, probate, debts and contract disputes, personal injury, financial disputes, bankruptcy, and state laws/constitution. Since courts are named differently in different states, let's use our local county and state courts as an example:

Small Claims Court: The lowest level cases are all civil cases involving small amounts of money, with a \$5,000 limit. There are no lawyers, only the plaintiff, defendant and a judge who makes the decision.

Superior Court: This court has a judge and usually a jury. There are many kinds of cases that are taken to Superior Court.

1. Civil cases over \$5,000
2. Criminal arraignments and trials (usually with a jury)
3. Probate (what to do with property of a person who dies without a will)
4. Family Relations (divorce, child custody, etc.)
5. Juvenile cases (crimes in which the defendant is under sixteen years of age).

State Appeals Court: These courts review trial court cases on appeal to determine if they were decided properly. They have three justices who decide by a majority vote decision, without juries.

State Supreme Court: This is the highest state court. Seven justices hear and decide cases, by a majority vote, that are sent from lower courts. Cases that involve the federal Constitution can be appealed from here to the federal Supreme Court.

LOCAL GOVERNMENT

County

The county is the most important level of local government within the state. County governments are usually run by a Board of Supervisors (usually five supervisors). Supervisors are elected by the voters of the county for four-year terms.

In addition to the County Board of Supervisors, there are other county officers who help do the work of the county government. These people include the county assessor, district attorney and treasurer.

In cities, voters elect a mayor and City Council members to represent them. Many cities elect their council members by district. City laws are called ordinances.

Special Districts

Unincorporated areas (parts of the county where there are no cities) may have one or more special districts which provide services such as fire protection, parks and water service.

MORE INFORMATION TO HELP YOU STUDY FOR THE CITIZENSHIP EXAM: The information and study questions on the following pages provide even more information about the United States of America to help you prepare for your exam to become a citizen.

OUR COUNTRY’S WARS

The United States has been engaged in the following seven wars:

1. The Revolutionary War (1775-1785)

Participants: Thirteen Colonies and Great Britain.

Cause: “Taxation without representation.”

Result: The United States secured its independence.

2. The War of 1812 (1812-1814)

Participants: United States and Great Britain.

Cause: Trouble in regard to “the freedom of the seas.”

Result: U.S. won commercial independence.

3. The Mexican War (1846-1848)

Participants: United States and Mexico.

Cause: Dispute over the border line between the two countries.

Result: New Mexico and California were added to U.S. territory.

4. The Civil War (1861-1865)

Participants: Northern States vs. Southern States (also referred to as the Union vs. the Confederacy).

Cause: Dispute over slavery and secession.

Result: The abolition of slavery.

5. The Spanish-American War (1898)

Participants: United States and Spain.

Cause: Spain’s tyranny in Cuba and the blowing up of the U.S. battleship, Maine

Result: Puerto Rico, Guam and the Philippines were ceded to the U.S. by Spain. Cuba became independent.

6. World War I (1917-1918)

Participants: England, France, United States and their allies against Germany and its allies.

Cause: Germany’s ambition for power and expansion of territory.

Result: The overthrow of the German government and the liberation of several small nations.

7. World War II (1941-1945)

Participants: England, France, United States and their allies against Germany, Japan and their allies.

Cause: Germany, Japan and Italy’s ambition for expansion of territory.

Result: The curbing of Germany and Japan’s ambition.

The United States has also fought four undeclared wars:

1. The Korean Conflict (1950-1953)

Participants: U.S., South Korea and the United Nations against North Korea and the People's Republic of China.

Cause: North Korea's invasion of South Korea.

Result: South Korea retained its independence.

2. The Vietnam Conflict (1965-1975)

Participants: U.S.-backed South Vietnam against North Vietnam.

Cause: Expansion of Communism in Southeast Asia.

Result: South Vietnam, Laos, and Cambodia ruled by Communism.

3. The Gulf War (1991)

Participants: U.S. and allies backing Kuwait against Iraq.

Cause: Iraq invaded Kuwait and threatened to invade Saudi Arabia.

Result: Iraq withdrew from Kuwait and retreated.

4. The Iraq War (2003-present)

Participants: U.S. and allies against supporters of former Iraqi dictator Saddam Hussein.

Cause: Saddam Hussein oppressed the Iraqi people, violated U.N. sanctions and was believed to be developing nuclear weapons for use against U.S. or its allies.

Result: Ongoing.

QUESTIONS AND ANSWERS ON THE HISTORY, CONSTITUTION AND GOVERNMENT OF THE UNITED STATES

1. Who discovered America?

Christopher Columbus, in 1492.

2. Who was the first President of the United States of America?

George Washington, in 1789.

3. When is the birthday of our country?

July 4, 1776.

4. From what European country was our independence won? What was the name of the war?

England (Great Britain); the Revolutionary War.

5. Who was the commander of the Revolutionary Army?

George Washington.

6. When and where was the Declaration of Independence signed?

On July 4, 1776, in Philadelphia, Pennsylvania.

7. Who wrote the Declaration of Independence?

Thomas Jefferson.

8. What did the Declaration of Independence declare?

It declared that all men (meaning all people) are created equal.

9. What is the name of the United States of America's flag?

"Stars and Stripes" or "Old Glory."

10. How many stars are there on our flag?

Fifty – each star represents a state.

11. What are the colors of our flag and what is the meaning of each color?

There are three colors: red, white and blue. Red stands for courage, white stands for truth, and blue stands for justice.

12. How many stripes are there on the flag?

There are 13 stripes representing the original 13 colonies.

13. Name the 13 original states.

Connecticut, Maryland, New Jersey, Pennsylvania, Delaware, Massachusetts, New York, Rhode Island, Georgia, New Hampshire, North Carolina, South Carolina, and Virginia.

14. **What is the name of our national anthem?**
“The Star-Spangled Banner.”
15. **Name the bird which symbolizes the United States.**
The bald eagle.
16. **Where is the capital of the United States?**
Washington, D.C. (District of Columbia).
17. **Where is the Liberty Bell located?**
In a building outside Independence Hall, Philadelphia.
18. **What is our national motto?**
“In God we trust.”
19. **What form of government do we have in the United States?**
A republic.
20. **What is a republic?**
A government represented by the people through their elected representatives.
21. **When did the Civil War take place?**
From 1861 to 1865.
22. **What caused the Civil War?**
Slavery and the secession of the southern states.
23. **Who was the President during the Civil War?**
Abraham Lincoln (Republican), the 16th President of the United States.
24. **When was the United States involved in World War I, and who was President at that time?**
From 1917 to 1918. President Woodrow Wilson (Democrat) was in office at that time.
25. **When did World War II take place, and who was President at that time?**
From 1941 to 1945. Franklin Roosevelt (Democrat) was President during most of that war, and succeeded by President Harry Truman (Democrat) in April 1945.
26. **Name three nations in World War II that we fought against.**
Japan, Italy and Germany.
27. **When was the Korean War?**
From 1950 to 1953.

- 28. Who started the Korean War? Who was President during that time?**
The North Korean Communists invaded South Korea. Harry Truman (Democrat) was President of the United States.
- 29. Name three United States Presidents who were in office during the Vietnam War.**
John Kennedy (Democrat), Lyndon Johnson (Democrat) and Richard Nixon (Republican).
- 30. What is the highest law of the United States?**
The Constitution.
- 31. What are the principles of the Constitution?**
Liberty, equality and justice.
- 32. When and where was the Constitution written?**
Philadelphia, Pennsylvania, in 1787.
- 33. How many times has the Constitution been amended?**
Twenty-seven times.
- 34. What is an amendment?**
A change or an addition to the Constitution.
- 35. What are the first 10 amendments called?**
The Bill of Rights.
- 36. What does the Bill of Rights guarantee the people?**
Freedom of speech.
Freedom of religion.
Freedom of the press.
The right of peaceable assembly and petition.
The right to a fair and speedy trial.
The right to have bail.
The right to a jury trial.
The right to security in the home.
- 37. What does freedom of the press mean?**
Freedom of the press means being able to publish anything you wish, as long as it is not libelous or does not advocate the violent overthrow of the government.
- 38. What does freedom of religion mean?**
Freedom of religion is the ability to worship in any faith or not to worship at all.
- 39. Name three different branches of the United States government.**
Legislative, Executive and Judicial.

40. What does each branch do?

The Legislative Branch makes the laws, the Executive Branch enforces the law and the Judicial Branch interprets the laws.

41. Who makes the laws for the United States?

Congress.

42. How many houses are there in Congress?

Two: the Senate and the House of Representatives.

43. How many United States Senators does each state have?

Two.

44. How many members are there in the Senate?

100.

45. Name the two Senators from California.

Dianne Feinstein (Democrat) and Barbara Boxer (Democrat).

46. How many Representatives are there in the House of Representatives?

435.

47. How many Members are there in the House of Representatives from the State of California?

53.

48. How long do the Senators serve?

Six years.

49. Who presides over the U.S. Senate?

The Vice President (Dick Cheney, Republican).

50. Who presides over the House of Representatives?

The Speaker of the House (Dennis Hastert, Republican).

51. When and where does Congress meet?

Beginning in January of each year, in Washington, D.C.

52. What is a bill?

It is a proposed law.

53. How do bills become laws?

In one of three ways:

1. By a majority vote of both Houses of Congress and the signature of the President.
2. By a majority vote of both Houses of Congress. The bill must then be sent to the President. If the President vetoes the bill, it is sent back to the house in which it started. If both houses pass it again (veto override) by a two-thirds vote, it becomes law without the signature of the President.
3. By a majority vote of both Houses of Congress. The bill is then sent to the President. If the President keeps the bill 10 days (not counting Sundays), it becomes a law without his signature, if Congress is still in session.

54. What are the powers of Congress?

- To make laws.
- To raise money through taxation.
- To coin money.
- To declare war.
- To establish federal courts.
- To establish post offices.
- To grant patents and copyrights.
- To provide an army and navy for the United States.
- To naturalize aliens.
- To regulate interstate commerce.

55. May the laws of the United States be changed?

All laws passed by Congress and the President may be changed or repealed by Congress and the President.

56. Where does Congress get its power?

The powers of Congress are given by the people through the Constitution of the United States.

57. Who is the Chief Executive of the United States?

The President.

58. How is the President elected?

Indirectly by the people. The people elect presidential electors (the Electoral College) who then elect the President.

59. How are the electors chosen?

By the people.

60. How many electors does each state have?

A number equal to the number of United States Senators and Representatives in Congress.

- 61. How many presidential electors does the State of California have?**
Fifty-five. One for each Senator (2) and Representative (53). The electors cannot be elected officials.
- 62. How long is the term of the President?**
Four years.
- 63. How many times can the President be re-elected?**
Once. The 22nd Amendment limits a President to two terms.
- 64. When does the President take office?**
On January 20 following the election.
- 65. Who is the current President of the United States?**
George W. Bush (Republican).
- 66. Who is the Vice President of the United States?**
Dick Cheney (Republican).
- 67. If the President dies while he is in office, who takes his place?**
The Vice President. If both the President and Vice President die, the Speaker of the House becomes President.
- 68. Who became the President of the United States without being elected either President or Vice President?**
Gerald Ford (Republican) became President when Richard Nixon (Republican) resigned. Ford had earlier been appointed Vice President when the elected Vice President resigned.
- 69. What are the qualifications for being President of the United States?**
The candidate must be a natural born citizen, at least 35 years of age, and must have been a resident of the United States for the 14 years preceding the election.
- 70. What are the two largest political parties in the United States?**
Democrat and Republican.
- 71. Who can declare war against another country?**
Congress (not the President).

72. Name the cabinet positions.

Secretary of State
Secretary of the Treasury
Secretary of Defense
Attorney General
Secretary of the Interior
Secretary of Agriculture
Secretary of Commerce
Secretary of Labor
Secretary of Health and Human Services
Secretary of Transportation
Secretary of Housing and Urban Development
Secretary of Energy
Secretary of Education
Secretary of Veterans Administration
Secretary of the Department of Homeland Security

73. What is the highest court in the United States?

The United States Supreme Court.

74. How many Justices are there in the United States Supreme Court?

Nine.

75. Who is the Chief Justice of the United States?

John Roberts.

76. How do Supreme Court Justices get their positions?

They are appointed by the President with the consent of the Senate.

77. Where does the Supreme Court meet?

In Washington, D.C. from October through May.

78. What is the meaning of “veto”?

Veto means to reject a bill passed by a legislative body.

79. Who may veto a bill passed by Congress?

The President.

80. How long do members of the U.S. House of Representatives and members of the U.S. Senate serve in Congress?

Members of the House may serve an unlimited number of two-year terms and members of the Senate an unlimited number of six-year terms.

81. **State some of the principal duties of the President.**
To enforce the laws and treaties of the nation.
To appoint Cabinet members.
To protect the nation's interest.
To protect the citizens of the United States.
82. **What is the most important principle of the United States government?**
The protection of individual rights.
83. **Who is the Chief Executive of California?**
The Governor.
84. **How long is the term of the Governor?**
Four years.
85. **Who is the Governor of California?**
Arnold Schwarzenegger (Republican).
86. **Where is the State Capitol of California?**
Sacramento.
87. **Who makes the laws for California?**
The Legislature, which consists of the Senate and the Assembly.
88. **How many members are there in the State Senate and the Assembly?**
The Senate has 40 members. The Assembly has 80 members.
89. **How long do Assembly members and Senators serve?**
Senators serve terms of four years. Assembly members serve terms of two years.
90. **Who presides over the State Senate?**
The Lieutenant Governor (Cruz Bustamante, Democrat).
91. **Who presides over the State Assembly?**
The Speaker of the Assembly (Fabian Nunez, Democrat).
92. **Who runs County government?**
The Board of Supervisors.
93. **Can the people of California make laws?**
Yes, through the initiative process. The people can also repeal laws by referendum.
94. **What is the highest court of the state?**
The California Supreme Court, which consists of a Chief Justice and six Associate Justices.

95. **Who is the Chief Justice of California?**
Ronald M. George.
96. **Which state has the largest geographic area in the United States?**
Alaska.
97. **Where is the Statue of Liberty?**
Liberty Island, in New York City Harbor.
98. **Who said “Give me liberty or give me death”?**
Patrick Henry, a leader of one of the 13 colonies.
99. **When did the Revolutionary War end?**
Lord Cornwallis of Great Britain surrendered to George Washington at Yorktown, Virginia, in 1781.
100. **What are the 49th and 50th states of the United States?**
Hawaii and Alaska.
101. **How many terms can a President serve?**
Two.
102. **Why did the Pilgrims come to America?**
The Pilgrims came from England to America seeking religious freedom. They came on the Mayflower ship and landed at Plymouth Rock, Massachusetts.
103. **Who wrote the Star-Spangled Banner?**
Francis Scott Key.
104. **Who wrote the Emancipation Proclamation?**
President Abraham Lincoln.
105. **What is the introduction to the U.S. Constitution called?**
The Preamble.
106. **What is the minimum voting age in the United States?**
18 years old.
107. **What is the most important right granted to U.S. citizens?**
The right to vote.
108. **What is the President’s official home?**
The White House.
109. **Where and when does the California Legislature meet?**
Sacramento, with sessions starting in January of each year.

110. State the Pledge of Allegiance.

“I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands; one nation under God, indivisible, with liberty and justice for all.”

PERSONAL QUESTIONS

1. Have you ever committed any crime or been arrested for breaking any law?
2. Have you ever been associated with the Communist Party?
3. Have you ever been confined as a patient in a mental institution?
4. Do you believe in the constitutional form of government of the United States?
5. Are you willing to bear arms on behalf of the United States?
6. Have you ever registered for the United States Selective Services?
7. How many times have you been married?
8. Do you owe any federal taxes?
9. Have you ever practiced polygamy or drug trafficking (including marijuana)?
10. Have you resided in the United States continuously for the last five years?
11. Why do you want to be a United States citizen?
12. Have you worked in the past three years?
13. Where were you born? When?
14. Do you go to school? Where?
15. Do you intend to live in the United States of America?



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